

**HAMPTON ZONING BOARD OF ADJUSTMENT
MINUTES
March 17, 2011**

Members Present

Vic Lessard, Acting Chairman
Jack Lessard (Alternate)
Tom McGuirk
Ed St. Pierre

Others Present

Kevin Schultz, Building Inspector
Joan Rice, Secretary

Acting Chairman Vic Lessard called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was said.

Acting Chairman Vic Lessard introduced the members of the Board

PETITION SESSION

09-11 The petition of Robert Hodgman & Diane O'Neil for property located at 188 Island Path seeking relief from Article 4.5.2 to remove existing non-conforming house and replace with new house to conform to all required setbacks except exterior stairs on west side to be outside setback requirements. This property is located at Map 280, Lot 33 in a RCS zone.

Robert Hodgman and Diane O'Neil, petitioners, came forward. Mr. Hodgman read the five criteria and said he felt they had been met.

Questions from the Board

There were no questions from the Board.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Mr. McGuirk said the proposed location of the stairs limits the parking. Mr. Hodgman said there is a one-car garage. Mr. McGuirk said the minimum is not met for a driveway. He suggested removing the stairs or putting them on the side. The house itself could also be moved over. Mr. Hodgman said they do not want to move the house. Mr. McGuirk said

there shouldn't be limited parking because the petitioners don't like the surroundings and most people would put the stairs interior to the structure.

Mr. Schultz said 9' X 18' is the requirement for parking space. There are 9 feet but there is encroachment on the setback. Mr. Schultz asked about the possibility of moving the structure to the left so there would be 12 feet on the right end side. Mr. Hodgman said they would not want to move the structure. Mr. McGuirk told the petitioners that they have a 3-bedroom house with one parking space and although this works for them, it doesn't necessarily work for the property going forward.

Mr. St. Pierre said putting the stairs on the opposite side would work. Mr. Schultz agreed.

Acting Chairman Lessard suggested either making the stairs 3 feet or reversing them.

Moved by Mr. McGuirk, seconded by Mr. Jack Lessard, to grant Petition 09-11 with the stipulation that the structure on the west comes no closer than 10 feet from the property line or that the stairs go toward the north rather than the south or that the house is moved over.

Acting Chairman Vic Lessard asked the Board members if they felt the five criteria had been met. All members agreed that they had

VOTE: 4-0-0. Motion passed unanimously.

10-11 The petition of Bernadette Patterson for property located at 548 Lafayette Road seeking relief from Articles 1.2 and 3.1 to be allowed to make necessary repairs and renovations to a single family dwelling in the B zone in order to restore the damage in the home due to fire and bring back into code compliance. This property is located at Map 144, Lot 8 in a B zone.

Bernadette Patterson, Petitioner, came forward. Ms. Patterson went through the five criteria and said she felt they had been met.

Questions from the Board

Mr. St. Pierre asked how long it had been since the fire. Ms. Patterson replied it has been a little more than a year. Mr. St. Pierre asked if there were any plans to run a business in that building. Ms. Patterson said there were not.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Mr. Schultz said that if in the future the petitioner should decide to run a business on the property it would need Planning Board and site plan approval.

Mr. McGuirk said that if the petitioner had filed paperwork prior to the one-year anniversary of the fire it would not have been necessary to come before the Board. Ms. Patterson said that she had gone to the Building Department prior to that date, but had not filled out paperwork because she has been dealing with insurance and other problems.

Moved by Mr. St. Pierre, seconded by Mr. McGuirk, to grant Petition 10-11.

Acting Chairman Vic Lessard asked the Board members if they felt the five criteria had been met. All members agreed that they had

VOTE: 4-0-0. Motion passed unanimously.

11-11 The petition of Lauren Stone for property located at 426 Winnacunnet Road, Units 7 and 8 seeking relief from Articles 1.3 and 8.2.3 to remove the front deck and stairs of Unit 8 and construct a covered entry and stairway. Also construct a new roofed over entryway and mudroom at the front entrance of Unit 7. This property is located at Map 208, Lot 48 in a RA/RB zone.

Lauren Stone, Petitioner, came forward. She went through the five criteria and said she felt they had been met.

Questions from the Board

Mr. Schultz asked about the dimensions of the mudroom. The petitioner replied it would be approximately 23 feet. Mr. Schultz said the mudroom would be 11 feet from the lot line where 20 feet is required.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Mr. McGuirk said he agreed that this particular unit needs a mudroom. He said, however, the plans are not accurate and it is not possible to tell if this will be 10 feet or 11 feet from the lot line.

Petitioner was asked if she would like to come back next month with more accurate plans. Ms. Stone said they would prefer to get started now. Mr. McGuirk said the petition can be granted with the stipulation that the structure must be 11 feet from the lot line.

Moved by Mr. McGuirk, seconded by Mr. St. Pierre, to grant Petition 11-11 with the condition that the mudroom on Unit 1 comes no closer than 11 feet to the front property line.

Acting Chairman Vic Lessard asked the Board members if they felt the five criteria had been met. All members agreed that they had

VOTE: 4-0-0. Motion passed unanimously.

12-11 The petition of Mason Family Revocable Trust, thru John & Ruth Mason, Trustees for property located at 235 Winnacunnet Road seeking relief from Articles 1.3 and 4.5.2 to allow expansion of existing bumpout area along the present setback line to construct a bedroom and bath on the first floor which will not meet setback requirements.

John and Ruth Mason, Petitioners, came forward. They went through the five criteria and said they felt they had been met.

Questions from the Board

Mr. St. Pierre asked the petitioners how long they have owned this property. Mr. Mason said it has been in his family since 1928.

Comments from the Audience

There were no comments from the audience.

Back to the Board

Mr. Jack Lessard said he felt it was a great plan. Mr. McGuirk asked if the new entrance to the high school is a detriment to the property. Mr. Mason said it is not.

Moved by Mr. Jack Lessard, seconded by Mr. St. Pierre, to grant Petition 12-11.

Acting Chairman Vic Lessard asked the Board members if they felt the five criteria had been met. All members agreed that they had

VOTE: 4-0-0. Motion passed unanimously.

BUSINESS SESSION

Acting Chairman Vic Lessard said he felt the Minutes for January 20, 2011 and February 17, 2011 as well as the Motion for Rehearing of Petition 03-11 – 190 Kings Highway should be postponed until next month when all Board members will be present.

Moved by Mr. McGuirk, seconded by Mr. Jack Lessard, to table the Motion for Rehearing of Petition 03-11 – 190 Kings Highway and approval of the Minutes of January 20, 2011 and February 17, 2011 until the next meeting on April 21, 2011.

VOTE: 3-0-1 (St. Pierre). Motion passed.

Adjournment

Moved by Mr. McGuirk and seconded by Mr. Jack Lessard, that the meeting be adjourned.

The meeting was adjourned at 8:07 p.m.

Respectfully submitted,

Joan Rice